

**DECLARATION OF RHONDA METTLER**  
**Pursuant to 28 U.S.C. § 1746**

I, Rhonda Mettler, have personal knowledge of the facts and matters discussed in this declaration, and, if called as a witness, could and would testify as follows:

1. I am over the age of twenty-one (21) and am competent to give this testimony.
2. I am employed as Operations Manager with the Better Business Bureau of Southern Nevada, Inc. Our offices are located at 6040 S. Jones Boulevard Las Vegas, Nevada.
3. The Southern Nevada BBB receives consumer complaints about businesses located in Las Vegas and other parts of southern Nevada. We help consumers resolve their disputes with companies by forwarding their complaint to the business for the business's response. Our complaint-processing services are provided free of charge to the public. We also produce company reports and assign a company rating, based on a scale from A+ to F, that reflects: the number and type of complaints received about the company, how the company has responded to those complaints, and other information the company has provided to us. Our reports are available to the public in one of four ways – by mail, by facsimile, by telephone, or online at our web site.
4. Beginning in early November 2010, our office began to receive consumer complaints about a company conducting business under the name SellOffAuctions.com. According to those complaints and information provided by the company, SellOffAuctions.com offers online penny auctions. SellOffAuctions.com, which was incorporated in Nevada in August 2010, has a business address of 1055 E. Tropicana Avenue, Suite 250, Las Vegas, Nevada 89119. SellOffAuctions.com also does business as True Net Media LLC. Brett Callister is the manager of SellOffAuctions.com.

5. From November 2010 through January 2011, our office received approximately 80 complaints about this company's business practices. For this office, 80 is a large number of complaints about a single company, particularly in such a short

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Declaration of Rhonda Mettler

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period of time. Processing the SellOffAuctions.com complaints has required a significant amount of staff time and resources.

6. SellOffAuctions.com currently has a D- rating with the Southern Nevada BBB. The rating is due to the significant volume of complaints we have received about the company, its limited time in business, and insufficient information company has provided us. Our report on SellOffAuctions.com, which includes the D- rating, summarizes the types of consumer complaints that we have received regarding the company's business practices and the company's responses to those complaints. A true and current copy of that report is attached to this declaration as **Mettler Attachment A**.

7. As noted in the BBB report, the vast majority of complaints are from consumers seeking a refund of charges SellOffAuctions.com placed on their credit and debit cards. Other complaint categories include: sales practice issues, billing and collection issues, advertising issues, and contract issues. Our records show that SellOffAuctions.com has responded to all reportable complaints that consumers filed with us. In most cases, the SellOffAuctions.com told the Southern Nevada BBB that it had agreed to send a refund to complaining consumers. Twenty-seven (27) consumers have acknowledged the acceptance of the response and the complaints were closed as "Resolved." Fifty-two (52) consumers, however, have not acknowledged acceptance of the company's response and their complaints were closed as "Assume Resolved."

8. On January 7, 2011, I received a request from the Federal Trade Commission for copies of all of the consumer complaints the Southern Nevada BBB had received about SellOffAuctions.com. I sent copies of the complaints to the FTC on January 11, 2011.

I declare under penalty of perjury the foregoing is true and accurate.

February 4, 2011  
Date

  
Rhonda Mettler



BBB Reliability Report for

## SellOffAuctions.com

### BBB Rating D-

BBB issues Reliability Reports on all businesses, whether or not they are BBB accredited. If a business is a BBB Accredited Business, it is stated in this report.

#### BBB Accreditation

Businesses are under no obligation to seek BBB accreditation, and some businesses are not accredited because they have not sought BBB accreditation. This business is not a BBB Accredited Business.

#### BBB Rating

Based on BBB files, this business has a BBB Rating of D- on a scale from A+ to F.

Factors that *lowered* this business' rating include:

- Length of time business has been operating.
- 79 complaints filed against business
- BBB does not have sufficient background information on this business.

Factors that *raised* this business' rating include:

- Response to 79 complaint(s) filed against business.
- Resolution of complaint(s) filed against business.

#### Business Contact and Profile

Name: SellOffAuctions.com

Phone: (702) 475-3576

Fax: (702) 475-3585

Address: 1055 E. Tropicana Ave. #250

Las Vegas, NV 89119

Website: [www.selloffauctions.com](http://www.selloffauctions.com)

Principal: Mr. Brett Callister, Manager

Customer Contact: Julie Garcia, Customer Service Manager

Incorporated: August 2010, NV

#### Mettler Attachment A

File Open Date: November 2010

Type of Business: Internet Shopping

BBB Accreditation: This company is not a BBB Accredited business.

Additional DBA Names: True Net Media LLC

#### Products and Services

This company offers online penny auctions

#### Customer Complaint History

When considering complaint information, please take into account the company's size and volume of transactions, and understand that the nature of complaints and a firm's responses to them are often more important than the number of complaints.

BBB processed a total of 79 complaints about this company in the last 36 months, our standard reporting period. Of the total of 79 complaints closed in 36 months, 79 were closed in the last year.

#### Advertising Issues

##### Resolved

1 - Company resolved the complaint issues. The consumer acknowledged acceptance to BBB.

#### Contract Issues

##### Resolved

1 - Company addressed the complaint issues. The consumer failed to acknowledge acceptance to BBB.

#### Billing or Collection Issues

##### Resolved

3 - Company resolved the complaint issues. The consumer acknowledged acceptance to BBB.

6 - Company addressed the complaint issues. The consumer failed to acknowledge acceptance to BBB.

#### Sales Practice Issues

##### Resolved

4 - Company resolved the complaint issues. The consumer acknowledged acceptance to BBB.

9 - Company addressed the complaint issues. The consumer failed to acknowledge acceptance to BBB.

#### Refund or Exchange Issues

##### Resolved

#### Mettler Attachment A

- 19 - Company resolved the complaint issues. The consumer acknowledged acceptance to BBB.
- 36 - Company addressed the complaint issues. The consumer failed to acknowledge acceptance to BBB.

#### **Government Actions**

BBB has no information regarding government actions at this time.

#### **Advertising Review**

BBB has no information regarding advertising review at this time.

#### **Additional Information**

This company is currently being monitored due to a pattern and volume of complaints.

#### **BBB Copyright and Reporting Policy**

As a matter of policy, BBB does not endorse any product, service or business.

BBB Reliability Reports are provided solely to assist you in exercising your own best judgment. Information in this BBB Reliability Report is believed reliable, but not guaranteed as to accuracy.

BBB Reliability Reports generally cover a three-year reporting period. BBB Reliability Reports are subject to change at any time.

If you choose to do business with this business, please let the business know that you contacted BBB for a BBB Reliability Report.

ID: 82274

Report as of February 3, 2011 14:20

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#### **Feedback**

Is this report helpful? Yes | No

**Mettler Attachment A**